

42931-4-II

No response to letter of  
8/10/12.

STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

FILED  
COURT OF APPEALS  
DIVISION II

2012 AUG -8 AM 11:56

STATE OF WASHINGTON

STATE OF WASHINGTON,  
Respondent,  
v.  
Eli. Edward, Reiter  
Appellant.

No.  
STATEMENT OF ADDITIONAL  
GROUND FOR REVIEW

BY DEPUTY

I, Eli, Reiter have received and reviewed the opening brief prepared by my attorney. Summarized below are the additional grounds for review that are not addressed in that brief. I understand the Court will review this Statement of Additional Grounds for Review when my appeal is considered on the merits.

Additional Ground 1

Ms Clark. Mr. Reiter's attorney failed to bring to the courts attention that Mr. Reiter did have a valid address in Portland, Or. at the time of his arrest. The address was 936, N.E. 94. Ave Portland, Or. 97220. Ms. Clark failed to even varify Mr. Reiter's address. If she would have then the prosecutors case against Mr. Reiter. Saying that he was a transient would have had no basis at all.

*additional Ground 2*

Refer to V.R.P. Officer's testimony during Ms. Clarks cross examination. The officer stated that Mr. Reiter did in fact say to the officer. "If I am under arrest just take me to jail and give me a blanket because I am tired, and this is ridiculous." When in fact the officer wrote in his initial report that Mr. Reiter was a homeless transient looking for a blanket. When in fact Mr. Reiter was not a homeless transient nor was he looking for a blanket

Additional Ground 3

When Mr. Reiter was first arrested he had a backpack which was full of his own personal clothing. When he was accoused by the officer he was asked what was in the pack. Mr. Reiter told the officer that it was just his own personal stuff. At that time the officer searched Mr. Reiter and dumped his backpack out on the ground. ( Refer to officer testimony. officer stated that he never searched Mr, Reiter or his pack. Which was an outright lie) Mr Reiter

brought that to Ms. Clark's attention numerous times to no avail. Ms. Clark ignored all of Mr. Reiter's statements that the officer was lying about the statements made and the contents of the backpack during the time of the arrest. Ms. Clark kept saying that it would be brought up at another time. Ms. Clark never brought it up or anything else up in the defense of Mr. Reiter. Mr. Reiter adamantly and repeatedly asked Ms. Clark to go down to the property room at the Clark County Jail and get his backpack and put it into evidence. If Ms. Clark would have done that the jury would have seen that the pack was not empty like the prosecuting attorney was trying to show. In fact the pack was full of Mr. Reiter's clothing and some toiletry items and some left over lunch items. Also the pack had a ripped zipper on the very back pocket so Mr. Reiter always kept that pocket empty so stuff would not fall out of it. (Refer to the witness testimony where the homeowner followed Mr. Reiter down the sidewalk and looked into an empty pocket of Mr. Reiter's pack. The homeowner only saw the one pocket empty not the whole thing. He could not see into the whole backpack because all the other pockets were zipped up and full of Mr. Reiter's personal items) Because of Ms. Clark's failure to get the Backpack out of property and into evidence it was destroyed or given away when Mr. Reiter was sent to prison and can never be brought into the courts. R.P.C. 1.2 1.4 Rules of professional conduct in and for the defense. Mr. Reiter filed a grievance with the WSBA File: 11-02197 Against Ms. Clark. Because of her neglect and for that matter her pure disregard for my defense or my freedom Ms. Clark did absolutely nothing at all to defend Mr. Reiter. If anything she helped the defense get Mr. Reiter convicted because she refused to listen or help her client. (Mr. Reiter.)

#### Additional Grounds 4

I Mr. Reiter repeatedly and adamantly expressed my feelings about having people on the jury that had been directly or indirectly involved in some type of burglary, against my wishes she let people on the jury that were prejudicial against me from the start of the trial. (refer to jury selection) Ms. Clark said she knew what she was doing and refused to listen to anything I had to say anytime during the trial. It was very frustrating for me because I did not know what to expect and trusted Ms. Clark to defend me and do her job. Which she did neither

#### Additional Grounds 5

During my 3.5 hearing I Mr. Reiter repeatedly and adamantly kept telling Ms. Clark that the arresting officer never once read me my miranda rights. Ms. Clark told me to be quiet and

that this was not important and that we would address it at a different time. Ms Clark sat there without objecting to the officer's testimony on anything. The arresting officer also said he never searched me or my backpack. Which also was false testimony and Ms Clark did nothing to object. Refer to 3.5 hearing testimony by officer.

#### Affidavit of Facts

On September 6, 2011 I Mr. Reiter had gotten in to an argument with my girlfriend and decided to go visit a friend in Vancouver, Wa. I had only been to my friends house via a vehicle I had never walked there before. It was quite a bit different. During my walk I <sup>got</sup> lost and couldn't find his house. The weather was very hot that day I think it reached about 85 ~~d~~egrees. I was dressed in shorts and a tank top. I was carrying a backpack with a change of clothes and some toiletry items for I was planning on staying at my friends for a day or two. I was trying to figure out where I was and I was deep in thought when this man came running out of his house and started screaming at me. He said he heard a noise by his garage. I told him I didn't know what he was talking about and continued walking. Then his teenage daughter came out of the house and started following me down the street and cussing me out and screaming vulgarities at me. I told her to leave me alone and kept walking. After I walked one half block down the street the cops showed up and stopped me. I told them that I was just walking down the street and these people started harassing me. The officer then took my backpack and dumped the items on the ground cuffed me and searched me. by this time I was getting frustrated with the way I was being treated because I had done nothing wrong. And I told The officer that if I was under arrest to just take me to jail and give me a blanket because I was tired. Not. That I was looking for a blanket at that residence. At ~~no~~ <sup>no</sup> time did I ever enter the residence. House or garage, The eyewitness testimony by the daughter or father ever stated that they saw me in the garage. The officer lied on his original statement by saying that I told him I was looking for a blanket. Refer to cross examination by Ms. Clark during trial. The daughter did identify me. But she only could identify me as the person walking down the street because that's the only place she saw me at. I feel that I was totally falsely arrested for this crime. Also there was never any crime committed nothing stolen nothing but my personal items on me. The officer admitted to lying on his initial report when he said that Mr. Reiter told him he was looking for a blanket. When in fact Mr. Reiter told him if I am under arrest just take him to jail and give him a blanket...

Date: 8-3-2012 Signature: Elin Rents

Forward ADDRESS  
Release on 8-~~6~~-2012  
Send Any mail to

C/o Jayme Kilts  
737 W Main St  
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Thank you



# Washington State Court of Appeals Division Two

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General Orders, Calendar Dates, and General Information at <http://www.courts.wa.gov/courts> OFFICE HOURS: 9-12, 1-4.

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August 10, 2012

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CASE #: 42931-4-II  
State of Washington, Respondent v Eli Edward Reiter, Appellant

Dear Mr. Reiter,

Your Statement of Additional Grounds was received on August 8, 2012. You indicate there are 5 pages, however, we received only 4 of 5. We did not receive page 5. Please either send page 5 or confirm that there are only 4 pages within 10 days from the date of this letter. Please include your case number, 42931-4-II on the page.

Very truly yours,

David C. Ponzoha  
Court Clerk

DCP:skw